IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Bail Appl..No. 7050 of 2007()

(CRIME NO.64/07 OF EZUKONE EXCISE RANGE)
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PETITIONER/ACCUSED

THULASI KUMAR, S/O. VISWAMBARAN,
POURNAMI NIVAS, THRIPPALAZHIKOM MURI,
KAREEPRA VILLAGE, EZHUKONE.

BY ADV. SRI.ALEXANDER GEORGE

RESPONDENTS: COMPLAINANT/STATE
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1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR,
EZHUKONE EXCISE RANGE, KOTTARAKARA.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 7050 of 2007

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Dated this the 20th day of November, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 335 litres of wash on 10.10.2007. The petitioner was arrested on 10.10.07 and he continues in custody from that date. The learned Public Prosecutor submits that there is no history of any criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can be directed to be enlarged on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 26.11.2007. The investigating

officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.75,000/- (Rupees seventy five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months from the date of his release. Thereafter, he shall make himself available for interrogation as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE